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Attorney for Defendant: **DAVID MONTES**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE JANIS L. SAMMARTINO, JUDGE)

UNITED STATES OF AMERICA,)	Case No.: 08CR682-03-JLS
)	
Plaintiff,)	
)	NOTICE OF MOTION AND
v.)	MOTION TO COMPEL
)	DISCOVERY AND PRESERVE
)	EVIDENCE
DAVID MONTES,)	
)	
)	DATE: 4/18/08
Defendant.)	TIME: 1:30 p.m.
)	

**TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, and
STEVE MILLER, ASSISTANT UNITED STATES ATTORNEY:**

PLEASE TAKE NOTICE that on April 18, 2008 at 1:30 p.m., or as soon thereafter as
counsel may be heard, the defendant, DAVID MONTES, by and through his attorney of record,
Inge Brauer, will bring the motions set forth below.

MOTIONS

The defendant, DAVID MONTES, by and through his attorney of record, Inge Brauer,
and pursuant to Federal Rules of Criminal Procedure 12 and 16 and the Fourth, Fifth, and Sixth
Amendments to the United States Constitution, hereby moves this Court to order:

1. Production of Discovery and Preserve Evidence.

1 This motion is based upon the instant motion, the attached points and authorities, the files
2 and records in the above-entitled case, and any and all matters that may be submitted to this
3 Court prior to the determination of this motion.

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5 DATED: April 4, 2008

Respectfully submitted,

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7 s/ Inge Brauer
8 Inge Brauer
9 Attorney for Defendant
10 **DAVID MONTES**
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